

FINDINGS: India is a critically important country in terms of religious freedom for several reasons: it is the world's largest democracy; its multitude of religious communities have historically coexisted peacefully; it occupies a key geopolitical position; and its stature is rising on the global stage. Nonetheless, India's progress in protecting and promoting religious freedom during the past year was mixed. The Indian government at various levels recognized the problem of communal violence and created some structures to address these issues. However, justice for victims of communal violence was slow and often ineffective, thereby perpetuating a climate of impunity. While there was no large-scale communal violence against religious minorities during the reporting period, attacks on Christians and Muslims and their places of worship continued, along with incidences of intolerance against both.

Because the governmental response at the state and local levels continues to be largely inadequate and the national government has failed to take effective measures to ensure the rights of religious minorities in several states, USCIRF again places India on its Watch List for 2010.* USCIRF placed India on its Watch List for the first time in 2009.

Despite the current national government's commitment to religious tolerance, communal violence has continued to occur with disturbing regularity, and the governmental response, particularly at the state and local levels, has been largely inadequate. Following incidents and reprisals at and after Christmas 2007, the murder of an influential Hindu leader in August 2008 sparked a prolonged and violent campaign targeting Christians in the state of Orissa. Over several weeks, at least 40 individuals were indiscriminately killed, the vast majority of whom were Christians, church properties and thousands of homes were destroyed, and tens of thousands fled their homes, seeking refuge in the jungle or in government relief camps. An inadequate police response failed to quell the violence, and early central government intervention had little impact. Mass arrests following the Orissa violence did not translate into the actual filing of many cases, and the courts prosecuting the claims absolved a disproportionately high percentage of cases for lack of evidence. Also, efforts continue to lag to prosecute the perpetrators of the 2002 Hindu-Muslim riots in Gujarat, in which the official death toll was 1,272 (with some groups estimating double that number of actual fatalities), the majority of whom were Muslim.

PRIORITY RECOMMENDATIONS: Infrastructure for investigating and prosecuting cases of religiously-motivated violence or harassment exists in India, but the legal system's capacity and will is severely limited and is utilized inconsistently. These deficiencies have resulted in a culture of impunity that gives members of vulnerable minority communities few assurances of their safety, particularly in areas with a history of communal violence, and little hope of perpetrator accountability. USCIRF urges the U.S. government to encourage and assist the

government of India to undertake measures to make more vigorous and effective efforts to halt violent attacks against members of religious minorities, as well as women and individuals deemed to be of lower caste; conduct timely investigations and prosecutions of individuals alleged to have perpetrated violence; hold state governments and officials accountable for violence and unlawful acts in their states; and enact policies to encourage religious tolerance in accordance with India's rich history of religious pluralism and the peaceful coexistence of different linguistic, ethnic, and religious groups. USCIRF also urges the U.S. government to integrate concern for religious freedom and related human rights into all bilateral contacts with India and the U.S. ambassador to India to speak out against, and seek to visit sites of, communal violence such as Orissa. Additional recommendations for U.S. policy toward India can be found in the 2010 Annual Report chapter on India and by following this link:

<http://www.uscifr.gov/images/ar2010/india2010.pdf>